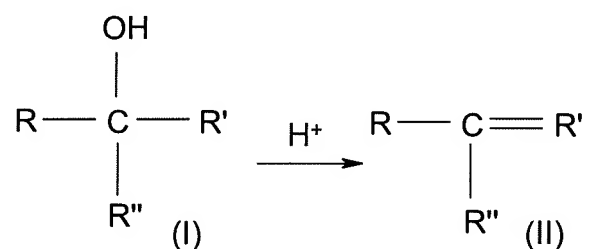


REMARKS

Currently, claim 1-10, 12-14, 17, and 19-30, including independent claims 1 and 17, are pending in the present application. Independent claim 1, for instance, is directed to an article comprising a substrate which includes at least one visual indicating agent in an amount effective to change color when exposed to an odor. The visual indicating agent has the following general formula (I) or (II):



R is H, (NH₂)C₆H₄, or C₆H₅;

R' is (CH₃)₂NC₆H₄, (NH₂)C₆H₄, C₁₀H₆O, or (NaCO₂)C₁₀H₅O; and

R'' is (CH₃)₂NC₆H₄, (NH₂)C₆H₄, C₁₀H₆(OH), or (NaCO₂)C₁₀H₅(OH).

The present inventors have discovered that, through use of the specific type of visual indicating agent set forth above, the article may detect a broad range of odorous compounds (e.g., sulfur and amine compounds) at very low levels (e.g., threshold of 0.01 ppb). (See e.g., Appl. p. 6).

In the Office Action, independent claim 1 and 17 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,507,269 to Berry. Berry is directed to a diagnostic device for halitosis. The device contains various indicia sensitized for hydrogen sulfide, sulphur dioxide, succinic acid, pH or hydrogen ion concentration, blood, and agmatine. (Cols. 2-3). However, Berry fails to disclose a visual indicating agent having the formula set forth in independent claims 1 and 17. For at least this

reason, Applicants respectfully submit that the present claims patentably define over Berry.

In addition, the Office Action also provisionally rejected independent claim 1 under 35 U.S.C. § 103(a) in view of U.S. Application No. 10/687,270. Applicants note, however, that the '270 application was filed on the same day as the present application (i.e., October 16, 2003), and is thus not prior art under any applicable section of 35 U.S.C. § 102, including § 102(e).

As a final note, independent claim 1 was also provisionally rejected under the doctrine of obviousness-type double patenting in view of U.S. Application No. 10/687,270. Without commenting on the propriety of this rejection, Applicants agree to submit a terminal disclaimer, to the extent necessary, at such time that the present application is otherwise in condition for allowance.

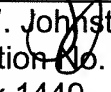
Applicants respectfully submit that the present application is in complete condition for allowance and favorable action, therefore, is respectfully requested. Examiner George is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this Amendment.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Appl. No. 10/687,269
Amdt. dated Apr. 5, 2007
Reply to Office Action of Dec. 6, 2006

Respectfully requested,

DORITY & MANNING, P.A.



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